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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,529	09/12/2003	Louis Borgeat	16046-1US-2 IC/DP/mft	5310
20988	7590	10/27/2005	EXAMINER	
OGILVY RENAULT LLP 1981 MCGILL COLLEGE AVENUE SUITE 1600 MONTREAL, QC H3A2Y3 CANADA			ARK, DARREN W	
			ART UNIT	PAPER NUMBER
			3643	

DATE MAILED: 10/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/660,529	Applicant(s) BORGAT, LOUIS	
	Examiner Darren W. Ark	Art Unit 3643	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 September 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6, 10, 12-17, 21, 22, 24 and 25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-6, 10, 12-17, 21, 22, 24 and 25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Objections

1. Claims 4, 23 are objected to because of the following informalities:

Claims 4 and 23, the phrases "has a L-shape" and "having a L-shape" should be changed to --has an L-shape-- and --having an L-shape-- respectively.

Appropriate correction is required.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-3, 6, 10, 12, 13, 16, 17, 21, 22 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Rumbaugh 5,263,275.

Rumbaugh discloses a fly fishing rod (fishing not being particularly claimed) comprising a rod shaft (56 in Fig. 3) with tip and proximal ends, a handgrip mounted to the rod shaft (any structure attached to 56 such as a line guide or nut 30 thereon or 36), the rod shaft having a rear portion extending past the handgrip (portion of 56 extending

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inside 22 or 31); a sleeve like adapter (48) secured over the rear portion (see Fig. 3), the adapter being secured formed with an engaging locking means (54), the adapter having an outer face with a diameter $d1$ at a first end (adjacent or at 54); a hollow cylinder (22, 31, 32) with a peripheral wall with an outer face and an inner face defining a cavity (see Fig. 3), the outer face including a reel seat (at 31) for mounting a reel (28) over the cavity (28 mounts over cavity that 31 defines to receive 56 and 28 extends higher or above cavity in 22 since 28 is taller and extends away from the rod assembly), the cavity having a diameter $d2$ wider than $d1$ (22 has a bigger diameter than 48; see col. 2, lines 65-end & col. 3, lines 1-5), allowing the adapter to be slid into the cavity by first inserting the first end of the adapter (from left towards the right in Figs. 3, 5), the cylinder having an engageable member (threads on inner surface of 32) engageable with the engaging locking means (54), and the cylinder being removable from the adapter as a single unit with the reel mounted to the reel seat (28 is capable of being removed along with 31 and 22) by disengaging the engageable member (32) from the engaging locking means (54), allowing the reel and hollow cylinder to be mounted to and dismounted from the adapter secured over the rod shaft (parts are not integrally molded together nor held with adhesives).

In regard to claims 2 and 12, Rumbaugh discloses a stud (threads of 32 extend inwardly).

In regard to claims 3 and 13, Rumbaugh discloses a groove (recesses portion of threads 54).

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In regard to claims 6 and 16, Rumbaugh discloses handle means (26, 22) which is wing shaped (26 in cross section has portions projecting outwardly like wings).

4. Claims 1-6, 10, 12-17, 21, 22, 24, 25 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Hardy 1,351,473.

Hardy discloses a fly fishing rod (fishing not being particularly claimed) comprising a rod shaft (a in Figs. 2, 3) with tip and proximal ends, a handgrip mounted to the rod shaft (any structure attached to a such as a line guide), the rod shaft having a rear portion extending past the handgrip (portion of a extending inside e); a sleeve like adapter (f) secured over the rear portion (see Fig. 2), the adapter being secured formed with an engaging locking means (g), the adapter having an outer face with a diameter d1 at a first end (adjacent top end); a hollow cylinder (e) with a peripheral wall with an outer face and an inner face defining a cavity (see Fig. 3), the outer face including a reel seat (reel capable of being mounted onto outside of e; also the reel seat is not being particularly claimed in a manner which defines over the structure of Hardy) for mounting a reel (inherent that a reel is included with a rod) over the cavity (reel capable of being mounted over cavity inside e), the cavity having a diameter d2 wider than d1 (e fits over f), allowing the adapter to be slid into the cavity by first inserting the first end of the adapter (see Fig. 3), the cylinder having an engageable member (h) engageable with the engaging locking means (g), and the cylinder being removable from the adapter as a single unit with the reel mounted to the reel seat (a reel is capable of being removed with e) by disengaging the engageable member (h) from the engaging locking means (g), allowing the reel and hollow cylinder to be mounted to and dismantled from the

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adapter secured over the rod shaft (parts are not integrally molded together nor held with adhesives).

In regard to claims 2 and 12, Hardy discloses a stud (h).

In regard to claims 3 and 13, Hardy discloses a groove (g).

In regard to claims 4, 5, 14, 15, 24, and 25, Hardy discloses the groove having an L-shape with a longitudinal portion (see Fig. 3 and portion of g extending from lower end of f) followed by a transversal portion (slanted portion of g).

In regard to claims 6 and 16, Hardy discloses handle means (o) which is wing shaped (o in cross section has portions projecting outwardly like wings).

5. Claims 1-6, 10, 12-17, 21, 22, 24, 25 are rejected under 35 U.S.C. 102(e) as being clearly anticipated by Markley et al. 6,922,936.

Markley et al. discloses a fly fishing rod (fishing not being particularly claimed) comprising a rod shaft (1418 in Fig. 19) with tip and proximal ends (see Fig. 1), a handgrip mounted to the rod shaft (any structure attached to a such as a line guide or 20, 22, 24), the rod shaft having a rear portion extending past the handgrip (portion of 1418 extending inside 1445); a sleeve like adapter (1421) secured over the rear portion (see Fig. 19), the adapter being secured formed with an engaging locking means (1419, 1424, 1426), the adapter having an outer face with a diameter d1 at a first end (which fits into 1445); a hollow cylinder (1445) with a peripheral wall with an outer face and an inner face defining a cavity (see Fig. 19), the outer face including a reel seat (34) for mounting a reel over the cavity (reel 12 is mounted such that it extends above the cavity defined by 1445 and also depending upon the inclination of the rod, the reel could be

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considered over the cavity if the proximal end is held higher than the tip end; see Fig. 2), the cavity having a diameter d_2 wider than d_1 (1445 receives 1421), allowing the adapter to be slid into the cavity by first inserting the first end of the adapter (see Fig. 19), the cylinder having an engageable member (1450) engageable with the engaging locking means (1419), and the cylinder being removable from the adapter as a single unit with the reel mounted to the reel seat (a reel 12 is capable of being removed from 1421, 1418) by disengaging the engageable member (1450) from the engaging locking means (1419), allowing the reel and hollow cylinder to be mounted to and dismounted from the adapter secured over the rod shaft (parts are not integrally molded together nor held with adhesives).

In regard to claims 2 and 12, Markley et al. discloses a stud (1450).

In regard to claims 3 and 13, Markley et al. discloses a groove (1424, 1426).

In regard to claims 4, 5, 14, 15, 24, and 25, Markley et al. discloses the groove having an L-shape with a longitudinal portion (1424) followed by a transversal portion (1426).


In regard to claims 6 and 16, Markley et al. discloses handle means (end of 40 or the downwardly depending trigger below 34) which is wing shaped (40 in cross section has portions projecting outwardly like wings).

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Darren W. Ark whose telephone number is (571) 272-6885. The examiner can normally be reached on M-Th, 8:00am-6:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter M. Poon can be reached on (571) 272-6891. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Darren W. Ark
Primary Examiner
Art Unit 3643

DWA